

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No.24 of 1991

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For Approval and Signature:

Hon'ble MR.JUSTICE R.BALIA.

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

GORDHANBHAI BHAGWANDAS JAIN

Versus

DISTRICT SUPPLY OFFICER

Appearance:

MR CL SONI for Petitioner

Shri M.A. Bukhar Asstt. GOVERNMENT PLEADER

for Respondent No. 1, 2

CORAM : MR.JUSTICE R.BALIA.

Date of decision: 01/12/97

ORAL JUDGEMENT :

Heard learned counsel for the respondents. The petitioner has challenged the order passed by the State Government on 24.12.1990, partly allowing the revision of the petitioner against the order of the Collector dated 11.9.1990 confirming the order of the licensing authority dated 18.7.1990, by which the order forfeiting the deposit of Rs.2,500/- for the alleged breaches of the terms of licence was confirmed, but the order cancelling the licence as wholesale and retail dealer of kerosene was modified to suspension of licence for 30 days.

2. Having perused the orders, it becomes apparent that all the three authorities have come to concurrent finding about the alleged breaches of the terms of licence on spot inquiry by Supply Inspector on 23.9.1990. The revisional authority, viz., the State of Gujarat keeping in view the past record and absence of any finding about previous breaches of the licence terms, had modified the order of cancellation of licence to that of suspension of licence, keeping the rest of the orders intact.

3. I find no error apparent on the face of record calling for interference in the matter in exercise of jurisdiction under Article 226 of the Constitution by issuance of writ of certiorari. The petition fails and is hereby dismissed. Rule is discharged. No order as to costs.

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